



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)**  
**(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: June 11, 2020

TIME: 2:16 PM

WSR 20-13-047

**Agency:** Department of Social and Health Services, Economic Services Administration

**Subject of possible rule making:** The department is planning to amend WAC 388-454-0006, The department makes background checks on adults who are acting in place of a parent without court-ordered custody, and other related rules as may be required.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090 and 74.12.290.

**Reasons why rules on this subject may be needed and what they might accomplish:** This filing is necessary to align the rule with changes in state law under Second Substitute House Bill 1645 (Chapter 270, Laws of 2020), effective January 1, 2021. Rule amendments will reflect that final founded findings of child abuse and neglect, and dependencies related to founded findings of child abuse and neglect, will not be considered when a background check is required and a Certificate of Parental Improvement accompanies the finding. This filing will also update cross references to disqualifying crime lists that were recodified upon the creation of the Department of Children, Youth, and Families.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The department is engaged in ongoing consultation with the Department of Children, Youth, and Families to incorporate Certificates of Parental Improvement into the background check process, as provided in Second Substitute House Bill 1645 (Chapter 270, Laws of 2020).

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study

☒ Other (describe) DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rulemaking. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

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(If necessary)

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Additional comments:

**Date:** June 11, 2020

**Name:** Katherine I. Vasquez

**Title:** DSHS Rules Coordinator

**Signature:**